

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America

v.

TAJ JOVAN STEWART

Date of Previous Judgment: 10/28/1999
(Use Date of Last Amended Judgment if Applicable)

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Case No: 5:98CR164-13

USM No: 19276-057

Tanzania C. Cannon-Eckerle

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 121 months **is reduced to** 120 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 40

Amended Offense Level: 38

Criminal History Category: II

Criminal History Category: II

Previous Guideline Range: 324 to 405 months

Amended Guideline Range: 262 to 327 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

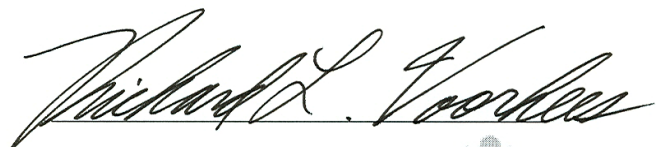
III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 10/28/1999 shall remain in effect.

IT IS SO ORDERED.

Order Date: July 22, 2008

Effective Date: _____
(if different from order date)



Richard L. Voorhees
United States District Judge

